

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
EASTMAN CHEMICAL COMPANY,

Plaintiff,

- against -

NESTLÉ WATERS MANAGEMENT &  
TECHNOLOGY,

Defendant.  
----- X

Case No. 11-cv-2589 (KPF)(HBP)

**DECLARATION OF  
NITA KUMARASWAMI**

NITA KUMARASWAMI, pursuant to 28 U.S.C. § 1746, declares:

1. I am an attorney with the law firm of Sullivan & Worcester LLP, counsel to defendant Nestlé Waters Management & Technology ("Nestlé"). I submit this declaration in support of Nestlé's Motion for Leave to Amend its Answer and Counterclaims.

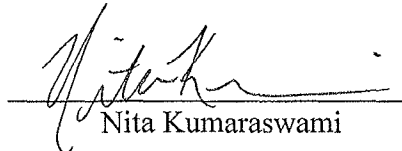
2. Attached hereto as Exhibit A is a true and correct copy of Nestlé's Answer and Counterclaims (ECF No. 51).

3. Attached hereto as Exhibit B is Nestlé's proposed Amended Answer and Counterclaims.

4. Attached as Exhibit C is a redline comparing Nestlé's Answer and Counterclaims with its proposed Amended Answer and Counterclaims.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
November 26, 2013

  
Nita Kumaraswami